

Koch, Kristine

From: Jennifer Woronets <jworonets@anchorqea.com>
Sent: Tuesday, March 10, 2015 9:28 AM
To: Koch, Kristine
Cc: Amanda Shellenberger; Bob Wyatt; Carl Stivers; Jennifer Woronets; Jim McKenna (jim.mckenna@verdantllc.com); King, Todd W.; Mullin, Jeanette; Patty Dost; Scott Coffey (coffeyse@cdmsmith.com); Sheldrake, Sean
Subject: FW: LWG Comments on DEQ Source Control Summary Report Consistency with EPA Draft FS Section 1
Attachments: LWG Comments on SCSR FS Section 1 Consistency and Accuracy 3-4-2015.pdf

Kristine,

Please see below and attached from Carl.

Let us know if you have any questions.

Thank you,
Jen Woronets ☺
Anchor QEA, LLC
jworonets@anchorqea.com
421 SW Sixth Avenue, Suite 750
Portland, OR 97204
503-972-5014

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From: Carl Stivers
Sent: Tuesday, March 10, 2015 8:57 AM
To: Jennifer Woronets
Cc: Amanda Shellenberger; Patty Dost; Bob Wyatt; James McKenna
Subject: LWG Comments on DEQ Source Control Summary Report Consistency with EPA Draft FS Section 1

Kristine – Please find attached and below LWG comments regarding the DEQ Source Control Summary Report (SCSR) consistency with EPA’s draft FS Section 1 groundwater and riverbank source text. As you recall, last summer EPA indicated prior to completing a draft of Section 1, that Section 1 source information was being drawn from the yet unpublished DEQ SCSR. The SCSR was not made available to the LWG until November of last year, and the LWG had no way of verifying the consistency of the SCSR with EPA’s draft FS Section 1. In our August 29, 2014 comments on EPA FS Section 1 we said:

- 1) We encourage EPA to “provide a balanced presentation of sources based upon verifiable references, and clarify that upland source control actions and remedies will not be evaluated in the FS”;
- 2) “EPA indicated during the informal discussions on Section 1 that its revised text was reviewed by the EPA lead on source control and by DEQ representatives and that the text is consistent with the upcoming Source Control Summary Report expected from DEQ in the fall of 2014, although this report is not referenced in EPA’s text. Because the report orally cited by EPA is not available, the draft text on sources is unverifiable by LWG (or anyone) at this time”; and
- 3) “At a minimum, any issues related to source descriptions should be placed in the dispute “parking lot” as described in the June 11, 2014 Revision Process for the FS until DEQ’s document is available.”

In addition, our February 11, 2015, letter to EPA stated:

“Finally, as noted by some of the attached comments, it is our understanding that EPA used preliminary information from DEQ during DEQ’s development of the Source Control Summary Report (SCSR) for Portland Harbor to develop Section 1. DEQ subsequently issued the report in November 2014. The LWG is reviewing the FS Section 1 subsections on groundwater and riverbank sources for consistency with the now available SCSR. The LWG will soon submit to EPA additional detailed comments on FS Section 1 regarding the consistency between these two documents and the accuracy of the source text in FS Section 1.”

Now that the SCSR is available to us, we are providing the attached comments regarding the consistency between the actual DEQ SCSR and the most current EPA draft FS Section 1 source text.

While EPA has indicated that FS Section 1 draft is complete, the LWG urges EPA to consider these comments given that the LWG had no way to check against the SCSR during the FS review period last year, there are multiple inconsistencies between the two documents, and EPA, LWG, and DEQ should all be in agreement that it is in the interest of all parties to have accurate and consistent information presented in both documents.

In addition to the specific comments noted in the attached comment table, we have the two following general comments:

- 1) There are multiple instances where EPA's draft Section 1 text and tables oversimplify the information in DEQ's 2014 Source Control Status Report (SCSR), resulting in inappropriate links of detected contaminants in localized environmental media to one specific site. In most cases the DEQ report is very clear in recognizing multiple potential sources for particular detected contaminants. The FS needs to accurately reflect the factual findings of the DEQ SCSR and acknowledge the myriad of potential sources of contamination at various locations.
- 2) Consistent with the above comment, the LWG recommends that Footnote #3 of EPA’s current draft of FS Section 1 be revised to read as follows:

“Although this section identifies many specific sources of contamination, neither this section nor this report generally is intended as an exhaustive list of current or historical sources of contamination. Contaminants detected in environmental media at or near a particular upland site are not necessarily indicative of a release at or from that site.”

If EPA has any questions about these comments, we would be very happy to meet with EPA to discuss them.

Carl

Carl Stivers

ANCHOR QEA, LLC
cstivers@anchorgea.com
23 S. Wenatchee Ave, Suite 220
Wenatchee, WA 98801
Phone: 509.888.2070

ANCHOR QEA, LLC
www.anchorgea.com
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